

THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANCISCO RIVERA-MONTANEZ,

Petitioner

v.

JOHN KERESTES,

Respondent

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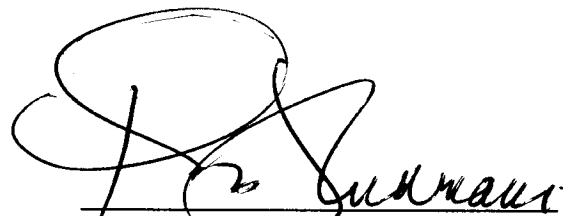
3:13-CV-2964

(JUDGE MARIANI)

ORDER

AND NOW, THIS 21ST DAY OF DECEMBER, 2017, upon review of Magistrate Judge Saporito's Report & Recommendation ("R&R") (Doc. 14) for clear error and manifest injustice, **IT IS HEREBY ORDERED THAT:**

1. The R&R (Doc. 14) is **ADOPTED** for the reasons explained therein.
2. Petitioner Rivera-Montanez's Petition for a Writ of Habeas Corpus (Doc. 1) is **DENIED** and the action is **DISMISSED WITH PREJUDICE**.
3. A Certificate of Appealability **SHALL NOT ISSUE**.
4. The Clerk of Court is directed to **CLOSE** the case.



Robert D. Mariani
United States District Judge